

## **REMARKS/ARGUMENTS**

### **Claim Amendments**

By the present amendment, claims 38-59, 66 and 72-73 have been withdrawn as being directed to non-elected subject matter. Claim 67 has been rewritten in independent form. Claims 70 and 73 have been amended to insert a period at the end of the claims. This corrects a typographical error and in no way alters the scope of these claims.

The claim amendments have been made without prejudice and without acquiescing to any of the Examiner's objections. The Applicants submit that no new matter has been entered by the present amendment and entry of the amendments is respectfully requested. The Applicants reserve the right to file any of the cancelled subject matter in a divisional patent application.

The Official Action dated September 22, 2006 has been carefully considered. It is believed that the claims submitted herewith and the following comments represent a complete response to the Examiner's comments and place the present application in condition for allowance. Reconsideration is respectfully requested.

Applicants provisionally elect the subject matter of Group II, namely claims 60-65 and 67-71, for initial examination in this application. The election is made with traverse as the Examiner has not established that searching the different methods of use along with the composition claims would be an undue burden upon the Office. In any event, the Examiner's comments with respect to rejoinder of product and process claims is noted with appreciation.

The Examiner has also required, for search purposes, the election of a single disclosed species for the different disorders, forms of compositions and components in the compositions. In response, the Applicants elects nicotine use disorders and orally

administered compositions. The Applicants do not understand the Examiner's species election request with respect to the components in the compositions for the elected Group II invention. The claims of Group II are directed to compositions comprising tranlylcypromine and nicotine, accordingly the Applicants submit that there are only two required components in these compositions and a species election does not appear reasonable. A telephone call was placed to the Examiner on October 18, 2006 by Patricia Folkins (Agent for the Applicants) in an attempt to clarify this matter however, there was no response. The Applicants submit that the information provided herein is fully responsive to the Examiner's requests and invites the Examiner to contact Patricia Folkins at 416-957-1683 if any further information is needed.

Early and favorable action on the merits is awaited.

The Applicant believes that no fee is required with this response, however, if any fee is due, please charge any fee deficiency or credit any overpayment to the Deposit Account No. 02-2095.

Respectfully submitted,

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